

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

200 W. Washington, Suite 301
Indianapolis, IN 46204
(317) 233-0696
<http://www.in.gov/legislative>

FISCAL IMPACT STATEMENT

LS 6485

BILL NUMBER: SB 440

NOTE PREPARED: Apr 15, 2009

BILL AMENDED: Apr 9, 2009

SUBJECT: Indoor Air Quality.

FIRST AUTHOR: Sen. Gard

FIRST SPONSOR: Rep. Welch

BILL STATUS: As Passed House

FUNDS AFFECTED: X **GENERAL**
DEDICATED
FEDERAL

IMPACT: State

Summary of Legislation: (Amended) This bill requires the Indiana State Department of Health (ISDH) to adopt rules concerning indoor air quality in schools and state agencies.

The bill provides that after the ISDH inspects a school or state agency for indoor air quality as the result of a complaint, the ISDH must report certain information. It provides that such a complaint must be in writing and may be made by electronic mail. The bill allows the ISDH to release the name of a complainant only if the complainant has authorized the release in writing.

The bill requires the ISDH to post minutes of each meeting of the Air Quality Panel on the ISDH web site not later than 45 days after the meeting.

The bill also requires the ISDH to: (1) distribute a manual of best practices for managing indoor air quality at schools and allows ISDH to use a manual developed by other states and federal health and environmental agencies; and (2) review and revise the manual at least once every three years.

The bill further provides that, after June 30, 2009, if the ISDH amends the rules concerning health and safety requirements for school buildings and school sites, the ISDH must consider the effects of outdoor air quality when establishing criteria for school siting.

Effective Date: July 1, 2009.

Explanation of State Expenditures: (Revised) The bill requires the ISDH to adopt rules concerning indoor air quality in schools and state agencies. The bill also requires the ISDH to consider outdoor air quality when

determining criteria for school siting if the rule concerning school buildings is amended after July 1, 2009. Rule-making activities are administrative in nature, and the ISDH should be able to accomplish the required task within its existing level of resources. Any potential fiscal impact would depend on the content of the rules promulgated.

Following an inspection of a school or state agency, the bill specifies that the ISDH is required to prepare a written report describing the inspection findings. The bill requires that the report contain certain specified information. The resources required to prepare a report would depend on the number of complaints received throughout any given year.

The bill requires the Air Quality Panel to meet twice annually. Minutes of the Air Quality Panel meetings are to be posted on the ISDH web site. The bill adds a new duty for the Air Quality Panel, requiring the Panel to assist the ISDH in adopting rules concerning indoor air quality in schools and state agencies. The ISDH reported that the panel last met in August of 2004. The ISDH should be able to accomplish this requirement within the current level of resources available.

The ISDH is required to prepare a manual of best practices for managing indoor air quality at schools. The manual is to be provided electronically to the Department of Education and the Legislative Council. The ISDH is also required to distribute the manual to the superintendent and facilities manager of each school corporation. The ISDH has estimated a cost of \$1,600 to distribute two copies of the manual to approximately 350 school corporations (including charter schools). The cost to revise a manual developed by a federal agency or another state is estimated to be less than \$60,000.

The funds and resources required could be supplied through a variety of sources, including the following: (1) existing staff and resources not currently being used to capacity; (2) existing staff and resources currently being used in another program; (3) authorized, but vacant, staff positions, including those positions that would need to be reclassified; (4) funds that, otherwise, would be reverted; or (5) new appropriations. Ultimately, the source of funds and resources required to satisfy the requirements of this bill will depend upon legislative and administrative actions.

Background: The state of Washington developed and distributed the "School Indoor Air Best Management Practices Manual" in 1995. The Washington legislature allocated \$80,000 for the project which ultimately used \$60,000 to develop and distribute the resulting 100+ page document. The initial project used two committees for the development phase; a technical committee and a policy committee. A staff member reported that approximately 10 to 12 meetings of the committees were required to produce the material. Teleconferencing was used often to keep travel expenses down. The manual was subsequently updated in 2003 and is on the Washington State website.

The ISDH administrative appropriations were made from the General Fund and the dedicated Tobacco Master Settlement Agreement Fund for FY 2008 and from the General Fund for FY 2009. The ISDH main administrative account reverted \$2.5 M in General Funds for FY 2008.

Explanation of State Revenues:

Explanation of Local Expenditures:

Explanation of Local Revenues:

State Agencies Affected: ISDH; Any state agency with an air quality complaint.

Local Agencies Affected: Local school corporations.

Information Sources: ISDH, Tim Hardin, Tacoma County Health Department, 253-798-6466, and the *School Indoor Air Quality Best Practices Manual*, November 2003, Washington State Department of Health, Office of Environmental Health and Safety, Indoor Air Quality Program, at:
<http://www.doh.wa.gov/ehp/ts/iaq/schooliaqbmp.pdf>

Fiscal Analyst: Kathy Norris, 317-234-1360.